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Attorney for Plaintiff-Intervenor
Shotsay Posciri

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
Plaintiff,)
and)
SHOTSAV POSCIRI,)
Plaintiff-Intervenor,)
vs.)
UNITED FREIGHT AND TRANSPORT,)
INC.,)
Defendant.)
Case No. 3:05-cv-0122-TMB

AFFIDAVIT OF MICHAEL KILLIAN

Kenneth W. Legacki, P.C.
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STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

MICHAEL KILLIAN, being first duly sworn upon oath, deposes and states:

1. I reviewed the deposition of Frank Monfrey, who is the President of United Freight. I read where he alleges that I came to his office and tried to "strong-arm" him into hiring Shotsay Posciri. In his deposition, Mr. Monfrey states that Mike Jones and myself went to his office and said that we had to hire Shotsay Posciri because she knew Mike Kenny, who was campaigning for secretary-treasurer of the Teamsters Union at that time.

2. We never attempted to strong arm Mr. Monfrey. There was never any mention of Mr. Kenny or a relationship between Shotsay Posciri and Mike Kenny.

3. At the meeting, I never gave Mr. Monfrey an ultimatum, or as he described it, in a "you're going to do this" manner.

4. My recollection of the meeting is that it was an amicable meeting, Frank Monfrey asked many questions about the dispatch procedures for truckers and I answered his questions. Frank Monfrey did state at the meeting that he had a concern that if he settled Ms. Posciri's grievance that, as president of the company, it would not look good to his employees so it "would not be an easy thing to do".

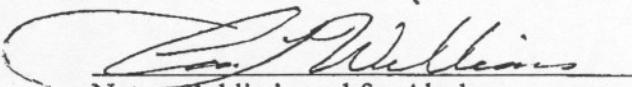
5. I remember Mr. Monfrey's demeanor at the meeting as considering settling the grievance. Frank Monfrey stated to us that he would await our settlement proposal and he would get back to us with his response.

6. Under no circumstance did either Mike Jones or myself ever make any threats, attempts to extort or strong-arm Mr. Monfrey into hiring Shotsay Posciri. We went to his office to try to talk about (1) hiring dispatch procedures, and (2) also to see if he was interested in settling the grievance. Under no circumstance did we ever, ever attempt to use strong-arm tactics as he described in his deposition.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


MICHAEL KILLIAN

SUBSCRIBED AND SWORN TO before me this 7th day of February, 2006.


Notary Public in and for Alaska
My Commission Expires: 8/8/08

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